

CHAPTER NO. 414**HOUSE BILL NO. 1257**

By Representative McMillan and Mr. Speaker Naifeh and Representatives Lois DeBerry, Head, Lynn, Black, Fowlkes, Hood, Ulysses Jones, West, Fitzhugh, Maddox, Davidson, Pinion, Shaw, Fraley, Sontany, Curtiss, Yokley, Borchert, Hackworth, Kernell, Cobb, Vaughn, Mike Turner, Harmon, Shepard, Coleman, Litz, Pruitt, Windle, Miller, Bone, Chumney, Brenda Turner, Hargrove, Winningham, Cooper, Garrett, Rinks, Bowers, Todd, DuBois, Kent, Briley, Gresham, Davis, Cochran, Clem, Sargent, Bittle, Odom, John DeBerry, Henri Brooks, Armstrong, Tidwell, Sherry Jones, McDonald, Ferguson, Buck, Brown, Tindle

Substituted for: Senate Bill No. 634

By Senators Kurita, Fowler

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, relative to registry of election finance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 2-10-2__.

(a) The registry of election finance, notwithstanding any other provision of the law to the contrary, shall do all of the following:

(1) Develop, with the advice, assistance and approval of the office of information resources, an Internet-based electronic filing process for use by all candidates for state public office and all political campaign committees which are required to file statements and reports with the registry of election finance.

(2) Develop, with the advice, assistance and approval of the office of information resources, a system that provides each candidate and campaign committee with secure access to the electronic filing system. The system shall provide safeguards against efforts to tamper or change the data in any way.

(3) Provide training to candidates and campaign committees on the use of the electronic filing system.

(4) Develop, with the advice, assistance and approval of the office of information resources, a system that will forward a copy of any candidate's report filed electronically with the registry of election finance to the appropriate local county election commission as required in § 2-10-105(a).

(5) Beginning with the 2004 regular August election, with the advice, assistance and approval of the office of information resources, provide to the public access to a list of campaign contributions made to candidates and a list of expenditures made by those candidates by posting such list on the Internet. Such lists shall not be subject to the provisions of § 2-10-111. In addition, the registry shall provide assistance to anyone seeking to access this information on the Internet. Campaign contribution lists shall not be made available on the Internet until the lists for each candidate running for the same office are available and such lists shall be made available on the Internet as simultaneously as is practicable.

(b) The registry of election finance, once the development of the electronic filing system is completed and tested, shall provide public notice that the system is operational and available for filers to commence use.

(c) The registry of election finance shall, and with the advice, assistance and approval of the office of information resources, implement the electronic filing system for use in the 2004 regular August election and all subsequent state elections. Candidates for state public offices and campaign committees may commence electronic filing for any state election beginning in the year 2004 after the effective date of this act and after notice has been given pursuant to subsection (b) and may continue to file electronically all reports for any subsequent state elections.

(d) All information entered by any candidate or campaign committee into the electronic filing system shall remain confidential until the information is filed with the registry of election finance.

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 2-10-1___. No later than sixty (60) days after the effective date of this act, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of one-hundred fifty dollars (\$150.00). For any multicandidate political campaign committee registering a new committee during the year 2003 after the effective date of this act, the committee shall pay the registration fee at the time that it certifies its political treasurer. No later than January 31, 2004, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of one-hundred fifty dollars (\$150.00). No later than January 31 for each year thereafter, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of seventy-five dollars (\$75.00). For any multicandidate political campaign committee registering a new committee during any year, the committee shall pay the appropriate registration fee as designated above at the time that it certifies its political treasurer. All fees collected by the registry of election finance under the provisions of this section shall be retained by the registry and used for expenses related to maintaining an electronic filing system. This section shall not apply to any statewide political party as defined in § 2-1-104(29) or subsidiaries thereof.

SECTION 3. Notwithstanding any other provision of law to the contrary, any individual who registers as a lobbyist shall pay an annual filing fee of one hundred dollars (\$100.00)

SECTION 4. From funds available to the registry of election finance pursuant to carryforwards from fiscal years 2000-2001 and 2001-2002, there shall be earmarked a sum sufficient to fund this act. It is the legislative intent that such funds shall be carried forward into fiscal year 2003-2004 for the purpose of funding this act.

SECTION 5. Notwithstanding any other provision of law to the contrary, any individual who registers as a lobbyist shall pay an annual filing fee of one hundred dollars (\$100.00)

SECTION 6. From funds available to the registry of election finance pursuant to carryforwards from fiscal years 2000-2001 and 2001-2002, there shall be earmarked a sum sufficient to fund this act. It is the legislative intent that such funds shall be carried forward into fiscal year 2003-2004 for the purpose of funding this act.

SECTION 7. Notwithstanding any other provision of law to the contrary, the registry of election finance shall create a form for persons to register as volunteer lobbyists and shall maintain a volunteer lobbyist list that shall be posted on their Web site. A person shall not be required to pay a fee for registering as a volunteer lobbyist. As used in this section, a "volunteer lobbyist" is anyone who engages in lobbying without pay or consideration and who is not required to register as a lobbyist under § 3-6-104.

SECTION 8. This act shall take effect July 1, 2003, the public welfare requiring it.

PASSED: May 29, 2003


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 24th day of June 2003


PHIL BREDESEN, GOVERNOR